

DEPARTMENT OF LABOR  
STANDARDS AND INSPECTIONS  
WAGE AND HOUR BUREAU

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.


The Department of Labor and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Department of Labor agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

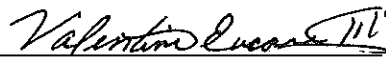
E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. Public records including electronic records not listed in this schedule or in the General Schedule for State Agency Records are not authorized to be destroyed. The

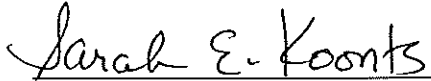
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agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

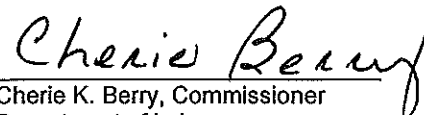
**APPROVAL RECOMMENDED**

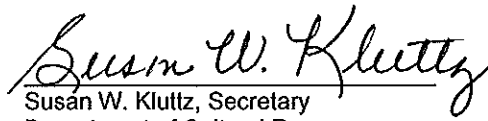
  
Erin T. Gould, Chief Records Officer  
Department of Labor

  
Valentine Eucare III, Administrator  
Wage and Hour Bureau

  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

  
Cherie K. Berry, Commissioner  
Department of Labor

  
Susan W. Kluttz, Secretary  
Department of Cultural Resources

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**ITEM 2465. PRIVATE EMPLOYMENT SERVICE CASE, CONTRACT, AND SURETY BOND FILE.**

Records in paper and electronic formats, including e-mail, concerning the licensing, operation, and inspection of private employment services. File details the organization and financing operations of each private personnel service. File for each service includes surety bond, original application, resume, fee schedules, annual reports of inspection, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print electronic records and interfile with related paper records. Scan in office paper records into electronic format. Return surety bond to Active Private Employment Services Surety Bond File (Item 14537) when scanned. Destroy in office remaining paper copies of scanned records after all quality control procedures have been completed. Destroy electronic records in office after 4 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office upon completion of action and resolution of issues.

**ITEM 14534. MINUTES OF THE PRIVATE PERSONNEL SERVICE ADVISORY COUNCIL FILE.**

Records in paper and electronic formats of the minutes of the Private Personnel Service Advisory Council meetings. (File maintenance and backup procedures are conducted by Department of Labor, Information Technology Division.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

**ITEM 14537. ACTIVE PRIVATE EMPLOYMENT SERVICES SURETY BOND FILE.**

Records in paper and electronic formats of surety bond documents for each active private employment agency.

DISPOSITION INSTRUCTIONS: Print electronic records and interfile with related paper records. Transfer paper records to Private Employment Service Case, Contract, and Surety Bond File (Item 2465) to be scanned and returned. Destroy in office paper copy of surety bond when agency discontinues operations or bond is cancelled. Destroy electronic records in office after 4 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office upon completion of action and resolution of issues.

**ITEM 36498. WAGE AND HOUR DATABASE (ELECTRONIC) FILE.**

Electronic records of alleged wage and hour, private personnel service and controlled substance examination violations; records concerning the licensure, certification and notification requirements of private employment services. Electronic files include names, addresses and telephone numbers of companies and complainants; names of investigators to whom the case is assigned; responses to requests for information, and other related data. Electronic files also include data on private employment agencies whose licenses have been revoked or denied by the Department. Electronic files also include data required for completion of monthly reports required by departmental management. (Comply with applicable provisions of G.S. 95-25.20 regarding confidentiality of records and G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently.

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**ITEM 36502. WAGE AND HOUR OPERATION MANUAL FILE.**

Records in paper and electronic formats concerning investigator's handbooks listing policies and procedures for performing wage and hour inspections.

DISPOSITION INSTRUCTIONS: Update in office routinely. Destroy in office when superseded or obsolete.

**ITEM 36504. INVESTIGATION CASES FILE.**

Records in paper and electronic formats, including e-mail, concerning the investigation of wage and hour complaints, private personnel service (PPS) complaints and controlled substance investigations. File includes completed complaint forms, activity reports, correspondence, investigator's notes, investigation reports, notices of completion of investigation, and other related records. Names of companies; complainants' names, addresses, and telephone numbers; names of investigators to whom the case is assigned; and other related data are entered into Wage and Hour Database (Electronic) File (Item 36498). (Comply with applicable provisions of G.S. 95-25.20 regarding confidentiality of records and G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print electronic records and interfile with related paper records. Scan in office paper records. Destroy in office remaining paper copies of scanned records after all quality control procedures have been completed. Destroy in office remaining paper and electronic records after 5 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

**ITEM 36510. DISABLED CERTIFICATES FILE.**

Certificates issued by the office to disabled employees paid sub-minimum wage.

DISPOSITION INSTRUCTIONS: Destroy in office upon expiration of certificate.

**ITEM 36513. YOUTH EMPLOYMENT CERTIFICATES (REFERENCE) FILE.**

Reference copies of youth employment certificates submitted by county Departments of Social Services. File also includes youth employment certificates and waivers issued by the office. (Comply with applicable provisions of G.S. 126-22, 126-23, 126-24, 126-29, and 132-1.10 regarding the confidentiality of personnel records.)

DISPOSITION INSTRUCTIONS: Destroy in office certificates issued by county Departments of Social Services when reference value ends. Destroy in office certificates and waivers issued by the office when youth reaches 20 years of age.

**ITEM 36514. YOUTH EMPLOYMENT STATISTICAL REPORTS (REFERENCE) FILE.**

Statistical reports in paper and electronic formats listing numbers of youth employment certificates issued in each county, numbers of certificates issued for various age groups, and other related information.

DISPOSITION INSTRUCTIONS: Destroy in office paper reports when reference value ends. Destroy in office electronic versions of reports after 5 years.